

**ASSEMBLY BILL**

**No. 1790**

**Introduced by Assembly Member Corbett**

January 5, 2004

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An act to add Article 13 (commencing with Section 17079) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1790, as introduced, Corbett. School facilities: seismic safety upgrades.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

This bill would require the State Allocation Board to adopt regulations by January 1, 2006, to establish grants for seismic safety upgrades for school facilities, as specified, and would make certain findings and declarations related to seismic safety upgrades.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 13 (commencing with Section 17079) is  
2 added to Chapter 12.5 of Part 10 of the Education Code, to read:  
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## Article 13. Seismic Safety Upgrades

17079. The Legislature finds and declares as follows:

(a) Numerous public schools are located close to earthquake faults and need seismic safety upgrades.

(b) The Division of the State Architect has reported that schools within 10 kilometers of an active fault are potentially at risk in a major seismic event.

(c) Schools need seismic safety upgrades if they were built using earthquake safety standards that do not reflect the existing knowledge and research in earthquake motions and structural effects.

(d) The existing school facilities modernization program does not address structural seismic safety upgrades needed for public schools.

17079.1. (a) The board shall adopt regulations that establish a seismic safety upgrade program for school facilities, including, but not limited to, all of the following:

(1) Grants for seismic safety upgrades for schools within 10 kilometers of an active earthquake fault classified as Category 2 buildings by the Seismic Safety Inventory of California Public Schools prepared by the Department of General Services pursuant to Section 17317.

(2) Schools in closest proximity to an active earthquake fault shall be given priority for seismic safety upgrade grants.

(3) A school district shall provide 50 percent of the costs of any seismic safety upgrade.

(4) Grants shall be made for two phases of an upgrade. Phase One shall consist of a grant to fund the review of a school's need for seismic safety upgrades. Phase Two shall fund the design and construction costs if the board determines that a school needs seismic safety upgrades based upon the Phase One review. Funds for Phase Two grants shall be reserved at the time of the Phase One review, but may not be released until the board approves that Phase Two grant.

(5) If after consideration of the Phase One review, the board determines that the seismic safety upgrade of a facility would require funding that is greater than 75 percent of the funds required to construct a new facility, the facility is eligible for funding under Article 4 (commencing with Section 17072.10).

1 (6) Funds for seismic safety upgrades shall be allocated by the  
2 board on a per pupil basis from the funds reserved for the purpose  
3 of seismic safety upgrades by a bond act approved by voters.

4 (b) To facilitate the development of these regulations, the  
5 Division of the State Architect, the Office of Public School  
6 Construction, the Department of Finance, and the State  
7 Department of Education shall meet with the board to develop  
8 regulations and grant amounts appropriate for seismic safety  
9 upgrades.

10 (c) The board shall adopt these regulations on or before January  
11 1, 2006.

12 (d) The regulations may not become operative until a bond act  
13 to finance school facilities is approved by the voters on or after  
14 January 1, 2006.

